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In re Application of :
Abuljadayel :
Serial No.: 09/853,188 : PETITION DECISION
Filed: May 9, 2001 :
Attorney Docket No.: 674528-2003.1 :

This is in response to the petition under 37 CFR 1.181(a), filed February 27, 2004, requesting withdrawal of abandonment based on timely filing of a reply. The delay in acting on this petition is regretted.

A review of the file history shows that the examiner mailed Restriction Requirement to applicant on June 03, 2003, setting a one month shortened statutory period for reply. Applicant replied on 03 October 2003, including a request for three month extension of time and fee therefore. A Notice of Abandonment was mailed to applicant on February 19, 2004, when the reply was not correlated with the file. Applicant in the petition filed on February 27, 2004 states that a reply was submitted on October 03, 2003. Applicant has submitted a copy of reply to the Office action (election), petition for extension of time for three months, a check for the three-month extension period, and the copy of USPTO confirmation of the receipt of the response mailed on October 03, 2003. A review of the above copies shows that the reply was timely filed, and the reply was not timely correlated with the file. In view of the evidence presented, the Notice of Abandonment is withdrawn and the application restored to pending status with the mailing of this decision.

The petition is **GRANTED**.

The application will be forwarded to the examiner for further consideration.

Should there be any questions about this decision please contact William R. Dixon, Jr., by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0519 or by facsimile sent to the general Office facsimile number 703-872-9306.



Jasmine Chambers

Director, Technology Center 1600